

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/014,101	12/10/2001	Thomas Schmulling	57955/010

CONFIRMATION NO. 2633

FORMALITIES LETTER



OC000000007388095

Ann R. Pokalsky
NIXON PEABODY LLP
990 Stewart Avenue
Garden City, NY 11530-4838

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 01/30/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

05/09/2002 YPOLITE1 00000081 10014101

65.00 OP

01 FC:205

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADE MARK OFFICE

Applicants: Schmulling et al.

Examiner: (Not Yet Assigned)

Serial No.: 10/014,101

Group: Art Unit 2637

Filed: December 10, 2001

Docket: 1195-2

For: METHOD FOR MODIFYING
PLANT MORPHOLOGY,
BIOCHEMISTRY AND
PHYSIOLOGY

Dated: April 30, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Box Missing Parts

**COPY OF PAPERS
ORIGINALLY FILED**

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

Sir:

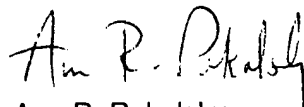
In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated January 30, 2002, Applicant encloses herewith a properly executed original Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63. Enclosed is a copy of the Notice to File Missing Parts of Application - Filing Date Granted. Applicants also submit under separate cover (Box Sequence), the submission of both the substitute paper copy and initial CRF of the Sequence Listing, along with a Statement under 37 C.F.R. §1.825 (a) and (b).

Also enclosed is a check for **\$65.00** to cover the surcharge under 37 C.F.R. § 1.16(e).

Please charge any deficiency or credit any overpayment of such fee(s), to Deposit Account

No. 04-1121. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,



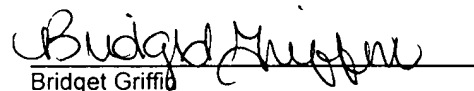
Ann R. Pokalsky
Registration No. 34,697
Attorney for Applicant

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents Washington, D.C. 20231 on April 30, 2002.

Dated: April 30, 2002


Bridget Griffin